



1454

PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bavykin, et al.
Application: METHOD FOR LABELING DNA AND RNA
Serial No.: 10/057,753
Filing Date: January 23, 2002
Art Unit: 1637
Examiner: Kim, Young J.
Case No.: 0003/00377

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first Class Mail, pursuant to 37 C.F.R. 1.8 to the Commissioner for Patents, Alexandria, VA 22313-1450 on August 29th, 2005 (Date of Deposit).

Michael J. Cherskov

Name of Representative

Michael J. Cherskov
SignatureAugust 29 2005
Date of Signature

Mail Stop Amendment
Commissioner For Patents
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**Petition for the Acceptance of an Unintentionally
Delayed Claim for Priority under 35 U.S.C. 120
Per 37 C.F.R. 1.78(a)(3)**

Sir:

Applicant hereby petitions to amend the above-identified patent application to claim the benefit of U.S. Application No. 09/751,654 (Pub. No. US 2003/0096229 A1), filed on December 29, 2000, which issued as U.S. Patent No. 6,818,398 B2 on November 16, 2004. This claim for priority had been delayed unintentionally.

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REMARKS

Applicant hereby submits this petition to claim the benefit of a prior application, U.S. Application No. 09/751,654 filed December 29, 2000 (US 2003/0096229 A1), which has since issued as U.S. Patent No. 6,818,398 B2 on November 16, 2004. The instant utility application is a continuation of the prior application and was first filed as a Provisional Application less than one month after the prior application (i.e., January 23, 2001).


Two common inventors (Bavykin, Mirzabekov) exist in the applications.

The prior application No. 09/751,654 was pending as of the filing date of the instant utility application, i.e., January 23, 2002. The entire delay between the claim for priority due under 37 C.F.R 1.78(a)(2)(ii) and the date the claim is filed under this petition was unintentional.

Enclosed herewith is a check for \$1,330.00 pursuant to 37 CFR §1.17(t). The Commissioner of Patents and Trademarks is hereby authorized to change any additional fee required under 37 CFR 1.16 and 1.17 or credit any over payments to the PTO Deposit Account Number 501709 of the undersigned.

Respectfully solicited,

CHERSKOV & FLAYNIK

By: 
Michael J. Cherskov (Reg. No. 33,664)